

1 MARK JOSEPH KENNEY (State Bar No. 87345)  
2 mjk@severson.com  
3 DAVID E. PINCH (State Bar No. 124851)  
4 dep@severson.com  
3 SEVERSON & WERSON  
A Professional Corporation  
4 One Embarcadero Center, Suite 2600  
San Francisco, California 94111  
5 Telephone: (415) 398-3344  
Facsimile: (415) 956-0439

6 Attorneys for BANK OF AMERICA, N.A.  
7 successor by merger to BAC HOME LOANS  
8 SERVICING, LP; and U.S. BANK, N.A. AS  
9 TRUSTEE FOR THE CERTIFICATEHOLDERS  
OF BANC OF AMERICA FUNDING  
CORPORATION MORTGAGE PASS-  
THROUGH CERTIFICATES SERIES 2007-D

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11 UNITED STATES DISTRICT COURT

12 NORTHERN DISTRICT OF CALIFORNIA — SAN FRANCISCO DIVISION

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14 JOY CHIN AND JACK CHIN,

Case No. 3:13-cv-02704-EDL

15 Plaintiffs,

**STIPULATION TO STAY LITIGATION  
FOR 90 DAYS**

16 vs.

The Hon. The Hon. Elizabeth D. Laporte

17 BANK OF AMERICA, N.A. as successor by  
merger TO BAC HOME LOANS  
18 SERVICING, L.P. and U.S. BANK, N.A. AS  
TRUSTEE FOR THE  
19 CERTIFICATEHOLDERS OF BANC OF  
AMERICA FUNDING CORPORATION  
20 MORTGAGE PASS-THROUGH  
CERTIFICATES SERIES 2007-D,

Action Filed: June 25, 2013  
Trial Date: not set

21 Defendant.

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#### RECITALS

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25 1. This action was filed by Joy Chin and Jack Chin on June 25, 2013. The action is  
26 filed as an action under the court's Diversity Jurisdiction.

27 2. The Plaintiffs allege seven claims for relief surrounding their allegations that the  
28 Defendants Bank of America, N.A. successor by merger to BAC Home Loans Servicing, LP; and

1 U.S. Bank, N.A. as Trustee for the Certificateholders of Banc of America Funding Corporation  
2 Mortgage Pass-Through Certificates SERIES 2007-D have wrongfully sought to foreclose on their  
3 real property at 1820 Barossa Drive, San Ramon, California. The claims for relief include (1)  
4 Breach of Contract, (2) False or Misleading Representations in the Collection of a Debt, (3)  
5 Negligence, (4) Intentional Infliction of Emotional Distress, (5) Negligent Infliction of Emotional  
6 Distress, (6) Reporting Inaccurate Credit Information, and (7) Violation of Business and  
7 Professions Code §17200.

8       3.     Since the filing and service of this Complaint, the parties have discussed active and  
9 meaningful settlement negotiations. The details of the settlement negotiations will include a good  
10 faith review of the Plaintiffs for a loan modification. Because the review process is time-  
11 consuming, the Parties seek a stay of the litigation for 90 days to allow time to explore settlement  
12 without incurring the expense and uncertainties of litigation.

## STIPULATION

14 **IT IS THEREFORE STIPULATED AND AGREED**, by and between Plaintiffs and  
15 Defendants, and subject to the approval of the Court, that:

16 1. This action shall be stayed until October 23, 2013.

17       2.       The time for Defendants to file a responsive pleading to the Complaint shall be  
18 extended to October 23, 2013.

19       3.     During the duration of the stay, Defendants shall not take any action to foreclose on  
20 the property located at 1820 Barossa Drive, San Ramon, California.

21 4. All discovery, meet and confer dates, and initial case management dates will be  
22 continued a like amount of time to dates consistent with the court's pleasure.

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1 DATED: July 24, 2013

SEVERSON & WERSON  
A Professional Corporation

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By: /s/ David E. Pinch  
David E. Pinch

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Attorneys for BANK OF AMERICA, N.A. successor by  
merger to BAC HOME LOANS SERVICING, LP; and U.S.  
BANK, N.A. AS TRUSTEE FOR THE  
CERTIFICATEHOLDERS OF BANC OF AMERICA  
FUNDING CORPORATION MORTGAGE PASS-  
THROUGH CERTIFICATES SERIES 2007-D

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DATED: July 24, 2013 HOUSING AND ECONOMIC RIGHTS ADVOCATES

By: /s/ Elizabeth S. Letcher  
Elizabeth S. Letcher

Attorneys for JOY CHIN and JACK CHIN